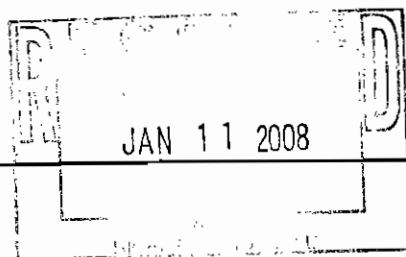


U.S. Department of Justice



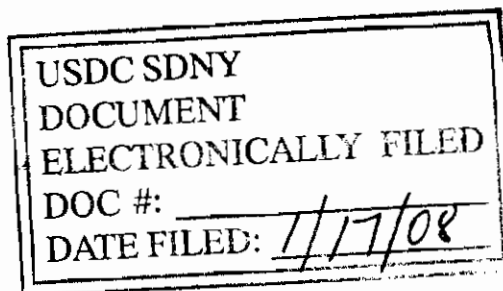
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 10, 2008

BY FACSIMILE

The Honorable Richard J. Holwell
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 660
New York, New York 10007



Re: United States v. Dwayne Russell,
07 Cr. 886 (RJH)

Dear Judge Holwell:

① The Government understands that the conference previously scheduled before Your Honor on February 8, 2008, in the above-referenced matter is being moved to February 21, 2008 at 12:00 p.m. The Government respectfully submits this letter, with defense counsel's consent, to request to exclude time under the Speedy Trial Act from February 8th through February 21st pursuant to 18 U.S.C. §§ 3161(h)(8)(A). It is anticipated that the parties will be able to continue discussing a possible disposition in this case during that period.

② *Such exclusion is in the interests of justice*

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

By:

Michael M. Rosensaft
Michael M. Rosensaft
Assistant U.S. Attorney
(212) 637-2366

cc : Steven M. Statsinger, Esq.